

REMARKS

Claim 1 has been amended to the scope of the elected subject matter. Dependent claims 2 and 4 have been amended accordingly. Claim 9, directed to a process for making compounds of formula I having the same scope as the compounds as presently set forth in claim 1, has been re-written in independent form. Claim 10 has been amended by deleting a portion of the preamble. Claim 12 has been amended to specifically claim, phytopathogenic fungi, incorporating the limitations from original claim 13. Accordingly, claim 13 has been canceled. No new matter has been added.

Claims 10, 12 and 13 have been rejected under 35 U.S.C. 112, first paragraph as allegedly being enabled only for fungi. Applicants respectfully traverse.

While applicants' submit that the Examiner has provided insufficient basis to allege that the novel compositions of the present invention are not enabled for controlling and protecting against phytopathogenic microorganisms, in order to advance the prosecution, Applicants' have amended claim 12 to read on phytopathogenic fungi. Further, applicants have amended claim 10 as suggested by the Examiner.

As this response is submitted within three months from the mailing date of the Office Action, no additional fees are believed necessary.

However, in the event the undersigned is mistaken in his calculations, an appropriate extension of time to respond is respectfully requested, and the Commissioner is authorised to debit the appropriate fee for that extension, or any other fee, from the deposit account of the undersigned, no 50-1676 in the name of Syngenta Crop Protection, Inc.

Respectfully submitted,

USPTO Customer No. 26748
Syngenta Crop Protection, Inc.
Patent and Trademark Dept.
410 Swing Road
Greensboro, NC 27409
Telephone: (336) 632-7586
Facsimile: (336) 632-2012

/THOMAS HAMILTON/
Thomas Hamilton
Attorney for Applicant
Reg. No. 40,464

Date: September 20, 2007